

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

DONNA J. GARRETT, SPECIAL
DEPUTY RECEIVER OF LINCOLN
MEMORIAL LIFE INSURANCE
COMPANY, MEMORIAL SERVICE
LIFE INSURANCE COMPANY, AND
NATIONAL PREARRANGED
SERVICES, INC.; ET AL.,

Plaintiffs,

v.

J. DOUGLAS CASSITY; RANDALL K.
SUTTON; BRENT D. CASSITY; J.
TYLER CASSITY; RHONDA L.
CASSITY; ET AL.,

Defendants.

Case No. 09-CV-1252-ERW

**VOLUNTARY DISMISSAL WITH PREJUDICE OF COMPLAINT AGAINST
SEPARATE DEFENDANT ERIN PROVINCE ENGLE**

Come now plaintiffs, by counsel, and pursuant to Civ. R. 41(a)(2) request an Order of the Court approving plaintiffs' dismissal with prejudice of their claims action made against separate defendant Erin Province Engle as set out in Plaintiffs' First Amended Complaint. Separate defendant Erin Province Engle has not pleaded a counterclaim or filed a motion for summary judgment, and further said separate defendant Erin Province Engle and her counsel consent to this dismissal.

WHEREFORE, plaintiffs pray that the Court enter an Order approving plaintiffs' dismissal with prejudice against separate defendant Erin Province Engle only, and not to effect plaintiffs' claims set out and contained in Plaintiffs' First Amended Complaint against all remaining defendants.

Date: November 19th, 2010

/s/ Maurice B. Graham

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**SEPARATE DEFENDANT ERIN PROVINCE ENGLE'S
CONSENT TO DISMISSAL**

Comes now separate defendant Erin Province Engle, in person and by counsel, and hereby consents to, and requests the Court to, approve plaintiffs' dismissal with prejudice against Erin Province Engle.

Dated this 9th day of November, 2010.


ERIN PROVINCE ENGLE


JOAN M. SWARTZ
Attorney for Erin Province Engle

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

CERTIFICATE OF SERVICE

I hereby certify that on November 20th, 2010, the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon the following:

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